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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,844	08/21/2003	Chun-Liang Lee	LEEC3071/JJC/LCD	6149

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EXAMINER	
TRAN, PHILIP B	
ART UNIT	PAPER NUMBER
2155	
MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/644,844	LEE, CHUN-LIANG	
	Examiner	Art Unit	
	Philip B. Tran	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 February 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbondanzio et al (Hereafter, Abbondanzio), U.S. Pat. No. 6,968,414.

Regarding claim 1, Abbondanzio teaches a method of remotely monitoring one of a plurality of blade servers in a rack, wherein each of the blade servers is coupled to a network switch connected to a computer system in a console (= management system 120) which, when detecting one of the blade servers is to be replaced and as commanded by a management employee, comprising the steps of reading an instruction inputted by the management employee for tripping a latch fastening each of the blade servers to the rack and sending the instruction to the blade server via the network switch (= monitoring insertion and removal of server blades in a data processing system by determining the status of the latch) [see Abstract and Col. 4, Line 46 to Col. 6, Line 36].

Abbondanzio does not explicitly teach causing the blade server to trip the latch from the rack according to the instruction. However, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to realize that

ejecting mechanism of an object (such as remotely ejecting a disc) can be implemented in order to command for tripping the latch from the rack to quickly release a particular blade (removal of blade server) among a cluster of blade servers in the rack in case of a possible abnormality or failure.

Regarding claims 2-3, Abbondanzio further teaches the method of claim 1, wherein each of the blade servers comprises an I2C (Inter-Integrated Circuit) bus including a GPIO (General Purpose Input and Output) for coupling to an external device, and a magnetic switch coupled to the I2C bus and adapted to control and trip the latch coupled to the blade server and further comprising a loop including the computer system in the console, the network switch, and the GPIO of the I2C bus so that the computer system in the console is coupled to the I2C bus by coupling a serial port of the network switch to the GPIO of the I2C bus for detecting and controlling the blade servers [see Figs. 1-3 and Col. 3, Line19 to Col. 4, Line 45].

Regarding claim 4, Abbondanzio does not explicitly teach wherein the input instruction is sent from the computer system to the magnetic switch via the network switch, the serial port, the GPIO, and the I2C bus sequentially, and the magnetic switch trips the latch from the rack according to the instruction. However, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to realize that ejecting mechanism of an object (such as remotely ejecting a disc) can be implemented in order to command for tripping the latch from the rack to quickly release

a particular blade (removal of blade server) among a cluster of blade servers in the rack in case of a possible abnormality or failure as set forth in claim 1.

Response to Arguments

3. Applicant's arguments have been fully considered but they are not persuasive because of the following reasons:

Based on the reasonably broadest interpretation, Abbondanzio still teaches a method of remotely monitoring one of a plurality of blade servers in a rack, wherein each of the blade servers is coupled to a network switch connected to a computer system in a console such as a management system 120 which, when detecting one of the blade servers is to be replaced and as commanded by a management employee, comprising the steps of reading an instruction inputted by the management employee for tripping a latch fastening each of the blade servers to the rack and sending the instruction to the blade server via the network switch. For example, Abbondanzio discloses monitoring insertion and removal of server blades in a data processing system by determining the status of the latch [see Abbondanzio, Abstract and Col. 4, Line 46 to Col. 6, Line 36].

Abbondanzio does not explicitly teach causing the blade server to trip the latch from the rack according to the instruction. However, it would have been obvious to one skilled in the art at the time of the invention was made to realize that ejecting mechanism of an object such as remotely ejecting a disc can be implemented in order to command for tripping the latch from the rack to quickly release a particular blade

(removal of blade server) among a cluster of blade servers in the rack in case of a possible abnormality or failure.

In *KSR,* the Supreme Court reaffirmed that "[w]hen apatent 'simply arranges old elements with each performing the same function it had been known to perform' and yields no more than one would expect from such an arrangement, the combination is obvious." *KSR,* 127 S. Ct. at 1740 (quoting *Sakraida v. AgPro, Inc.,* 425 U.S. 273,282 (1976)). Moreover, "[w]hen there is a design need or market pressure to solve a problem and there are a finite number of identified, predictable solutions, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product.., of ordinary skill and common sense." *KSR,* 127 S. Ct. at 1742.

This reasoning is applicable here. Clearly, ejecting mechanism of an object such as remotely ejecting a disc (which is similar to remotely tripping a blade server) is notoriously well known in the art. Thus, it would have been obvious to one skilled in the art at the time of the invention was made to realize that ejecting mechanism of an object such as remotely ejecting a disc can be implemented in the system of Abbondanzio for remotely monitoring one of a plurality of blade servers in a rack that would have reasonably lead an artisan having ordinary skill and common sense to combine the teaching of Abbondanzio and teaching of ejecting mechanism of an object such as remotely ejecting a disc in the manner suggested by the Examiner. This combination of teachings would yield a result of sending a command for tripping the latch from the rack

to quickly release a particular blade (removal of blade server) among a cluster of blade servers in the rack in case of a possible abnormality or failure.

Therefore, the examiner asserts that the cited prior arts teach or suggest the subject matter recited in independent claims. Dependent claims are rejected at least by virtue of their dependency on independent claims and by other reasons set forth above. Accordingly, claims 1-4 are respectfully rejected as shown above.

4. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip B Tran/
Primary Examiner, Art Unit 2155
March 28, 2008